

PUBLIC NOTICE

Notice to Water Users
(Pursuant to Section 85-2-407 or 85-2-436, MCA)
The following application has been submitted to renew a temporary authorization for change.

RECEIVED

DEC 21 2015

Application Number : 43B 30072780

Applicant : MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS

**LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE**

<u>WATER RIGHT NUMBER(S) BEING CHANGED</u>		
<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	43B-122539	MAY 1, 1904
STATEMENT OF CLAIM	43B-122540	APRIL 1, 1904
STATEMENT OF CLAIM	43B-122542	APRIL 1, 1890
STATEMENT OF CLAIM	43B-122544	APRIL 1, 1893
STATEMENT OF CLAIM	43B-122547	APRIL 1, 1898
STATEMENT OF CLAIM	43B-122548	APRIL 7, 1972

PAST USE OF WATER

THE WATER RIGHTS INVOLVED IN THIS TEMPORARY CHANGE RENEWAL WERE ORIGINALLY USED FOR FLOOD IRRIGATION. RIGHTS 43B 122539-00, 122540, AND 122542 HAVE A PLACE OF USE (POU) OF 179 ACRES; RIGHT 43B 122544-00, OF 86.6 AC; RIGHTS 43B 122547-00 AND 122548, OF 57.5 AC. THESE ARE SUPPLEMENTAL RIGHTS, WHICH MEANS THAT THEY HAVE OVERLAPPING POUS AND CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. THE POU IS LOCATED IN SECTIONS 7 AND 8, T08 S, R08 E, PARK COUNTY. THE HISTORICAL POINTS OF DIVERSION (PODS) ARE NINE HEADGATES IN SECTIONS 4, 5, 7, 8, AND 9, T08 S, R08 E, PARK COUNTY. THE SOURCE OF WATER IS CEDAR CREEK (RIGHTS 43B 122539-00, 122540, AND 122542); FIRST FORK CEDAR CREEK (RIGHT 43B 122544-00); AND SPRING CREEK (RIGHT 43B 122547-00 AND 122548).

PROPOSED CHANGE

THIS APPLICATION IS TO RENEW A TEMPORARY CHANGE. THE TEMPORARY CHANGE WAS ORIGINALLY ISSUED ON SEPTEMBER 20, 1995, FOR A PERIOD OF TEN YEARS, WITH A 10-YEAR RENEWAL IN 2005, AND AUTHORIZED THE CHANGE OF WATER RIGHTS 43B 122539-00, 122540, 122542, 122544, 122547, AND 122548. A CHANGE IN PLACE OF USE AND PURPOSE OF USE OF THE ABOVE RIGHTS WAS AUTHORIZED FOR MAINTAINING AND ENHANCING STREAMFLOWS FOR FISHERIES FROM MAY 1 TO OCTOBER 15. THE CHANGED PLACE OF USE INCLUDES CEDAR CREEK FROM A HEADGATE IN THE NENWNE OF SECTION 13, T8S, R7E, PARK COUNTY, TO THE CREEK'S CONFLUENCE WITH THE YELLOWSTONE RIVER IN THE NESENW OF SECTION 13, T8S, R7E, PARK COUNTY. THE RENEWAL PERIOD REQUESTED IS AN ADDITIONAL 10 YEARS.

NEW EVIDENCE OF ADVERSE EFFECT TO OTHER WATER RIGHTS MUST BE SUBMITTED IN WRITING BY **MARCH 22, 2016**. MAIL THE EVIDENCE TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION, PO BOX 201601, HELENA, MT 59620-1601. ANY QUESTIONS REGARDING THIS APPLICATION SHOULD BE DIRECTED TO THE WATER RESOURCES REGIONAL OFFICE, 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 PHONE: 406-586-3136 FAX: 406-587-9726

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